

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DIAUNTE J. SHIELDS,

Petitioner,

v.

CAROL HOLINKA, Warden,
Federal Correctional Institution,
Oxford, Wisconsin,

Respondent.

ORDER

11-cv-361-wmc

As directed in this court's January 27, 2012 order, petitioner Diaunte Shields has submitted a copy of his trust fund account statement so that a determination may be made whether he is indigent for the purpose of proceeding on appeal *in forma pauperis* and if he is, what amount must be assessed as an initial partial payment of the fee for filing his appeal. From my review of petitioner's trust fund account statement, I conclude that he qualifies for indigent status. Further, I assess petitioner an initial partial payment of the \$455 fee for filing his appeal in the amount of \$31.23.

IT IS ORDERED that petitioner Diaunte Shields may have until February 28, 2012, in which to submit a check or money order made payable to the clerk of court in the amount of \$31.23. If, by February 28, 2012, petitioner fails to pay the initial partial payment or explain his failure to do so, then I will advise the court of appeals of his noncompliance in paying the assessment so that it may take whatever steps it deems appropriate with respect to this appeal.

Further, the clerk of court is requested to insure that the court's financial records reflect petitioner's obligation to pay the \$31.23 initial partial payment and the remainder of the \$455 filing fee.

Entered this 3rd day of February, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge